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**THE CHRISTIAN CHURCH
AND LIBERTY**

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LONDON

JAMES CLARKE & CO., LIMITED

9 ESSEX STREET, STRAND, W.C. 2

(LATE OF 13 AND 14 FLEET STREET, E.C.)

"THE LIVING CHURCH" SERIES

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PREFACE

I HAVE in this book endeavoured to make it clear what is the intrinsic and essential relation of the principles of the Christian Church to the freedom of the individual personality. I have not attempted to discuss in detail the relation of individual liberty to political liberty, for to do this would take me too far from the purpose of this series.

I cannot say that the Church has always defended liberty, but I think that it is true to say that it ought to have done so.

A. J. CARLYLE.

OXFORD, 1924.

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INDIVIDUALITY

THE CHRISTIAN CHURCH AND LIBERTY

CHAPTER I

INDIVIDUALITY

THE subject of this work is one which presents considerable difficulties. It may be reasonably maintained that even to-day there are certain aspects of religious influence which are unfavourable to intellectual and possibly to moral freedom, while on the other hand it is also necessary to observe that, regarded from another point of view, the relations between the Christian Church and the development of the idea of individual or personal liberty are very intimate.

The subject-matter of this work is liberty, not primarily in the political but in the individual sense. It is not perhaps always sufficiently realised that this conception of freedom in relation to the individual personality belongs to

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the highly developed civilisation of the modern world or of the later Roman world. There was indeed once current, especially in the political writers of the seventeenth and early eighteenth centuries, a conception that, in the beginning of things, men were separate, isolated units ; that is, that the world began with fully developed individual personalities. The truth is exactly the opposite. It is now recognised by all serious students that in the primitive, and even in the barbaric world, the individual and the individual personality counted for little or nothing. It may be said, speaking roughly, that as far as the Western world is concerned the development of the idea of individual personality belongs to the period between Aristotle and the Christian era. It is with this subject that we have to deal, and in order better to understand the history of the development of this conception of individual freedom we must make clear to ourselves some aspects of the conditions of society, of the moral and mental temper which preceded its development.

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It is clear, as we have said before, that the characteristic of a primitive and in a large measure of a barbaric society, is the solidarity of the group, the fact that the individual counts for little or nothing compared with the group, and has little autonomy or independence in the group. In order to make ourselves clear upon the subject, it may be well to look at this matter under several different terms.

It is in the first place obvious that the primitive group possessed a high degree of authority over all its members, though it is true that the very highly developed absolutism of the Roman family group, the " *patria potestas* " of the head of the Roman family, did not exist as far as we know among other races. Something analogous to it was however very prevalent. If the parents did not possess the same unrestricted powers of life and death over their children outside the Roman family, it requires little argument to make it clear that something very analogous existed, and that the conception survives to this day among us. It is only within

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quite recent years that the absolute authority of the parent over the children and even of the husband over the wife has been to a large degree moderated, if not annulled. In the second place, it must be observed that the authoritative character of the family group was accompanied by the conception that the family group was the normal owner of property. This does not mean to say that even in the earliest times there was no individual property, that is going too far ; but it is, on the other hand, certain that individual property was of small importance. While the authority of the group and the absence of individual property are characteristic of this early condition of human life, what is most remarkable to us is the absence of any clear conception of the moral responsibility of the individual. It is indeed difficult for us now to understand how different was the conception of the moral responsibility of man in primitive and earlier society from that which it is to-day.

The easiest way, perhaps, of approaching this is to consider the real significance of what

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we know still as the custom of the Blood Feud, that is the system under which any member of a group was held responsible for a crime committed against any member of another group. To us it would seem inconceivable that because a member of our family has been gravely injured by a member of another family we should be entitled and even obliged to carry out vengeance against any member of the other family with whom we might come into contact, and yet this was so ; indeed, it continues in some parts of Europe to the present day. If this is the case with the moral responsibility of man, it was also the case in the earlier stages of society with the conceptions of the religious life. The relation between the Divine Power, the God or Gods, and man, was not primarily or generally conceived of as an individual relation, but was rather thought of in the terms of the relation which subsisted between the God and some particular tribe or family. It is not always sufficiently observed that this is very clearly the characteristic of the earlier religious conditions of the

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Hebrews. In the earlier parts of the Old Testament it is quite clear that we are dealing rather with the characteristics of a group religion than with the conditions of an individual or personal religion. This is the meaning of that saying of the second commandment, which to us is hard to accept, that God is a jealous God who visits the iniquities of the fathers upon the children to the third and fourth generation. To accept this conception of the relation of God to man is indeed to us almost unthinkable, for we are accustomed to a mode of conceiving of life, in which there is nothing so intimate or so personal as the religious relation.

What was true of these primitive and barbaric societies was true in a measure, no doubt in a lesser measure, of the great Hellenic civilisation, and it is characteristic even of the mode of thought of the greatest of Greek philosophers like Plato and Aristotle. It is impossible to understand the system of what we might call "castes" which is contemplated by Plato without recognising that to Plato the individual,

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the individual development, the individual character and temperament, are almost wholly subordinated to the well-being of the society. And what is true of Plato is true, though no doubt not quite in the same manner, of Aristotle. To recognise this we have only to consider such a treatment of education as we find in the last books of Aristotle's *Politics*. For it is quite clear that Aristotle is dealing with education, not as we should do in modern times, from the point of view of the fullest possible development of the individual, but almost solely from the point of view of the training of the individual person to be a useful citizen or member of the community to which he belongs, under the terms of the circumstances of that community. This is why, in the Aristotelian system of education, there is little or no room for variety, there is little or no room for individual preferences or special individual capacities, there is no room for varieties of educational experiment.

This will then for our present purpose suffice as indicating the fact that the development of

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the idea of the significance or importance of the individual personality was little understood, not merely in the primitive world or in barbaric times but even in the highly developed civilisation of the Greeks.

When we now turn to the post-Aristotelian philosophy we can find an equally clear development of a new principle of human life—the principle of the independence or autonomy of the human personality. We may perhaps take as the most striking example of this some passages in the writings of the Stoic philosopher Seneca. No one, he says, can either injure or benefit the wise man. There is nothing which the wise man would care to receive. Just as the Divine Order can neither be helped nor injured, so is it with the wise man. The wise man is, except for his mortality, like God Himself.¹ How remarkable is the contrast between such phrases and the conceptions of Aristotle. The Stoics did not mean by this that the wise man had no obligations to society.

¹ Seneca, *Ad Serenum*, viii.

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On the contrary, they maintained, apparently in opposition to Epicurus, that though the wise man might not need the help of his fellow-men, he was bound to render that help himself. But he concludes that while the wise man must do all that he can to help, if he cannot do this, then he can withdraw into himself and improve himself, being sure that in the end he is really contributing to the public good by doing this. This illustration will, I think, suffice to indicate the immense scope and significance of the change which had come over the judgment of the Western world in the centuries immediately preceding the coming of Christ. This is indeed perhaps the most remarkable change in the conception of life which we know of in the historical period of human life. It is not, of course, that the older conceptions of the significance of the group had disappeared. It may indeed be said that Seneca is enormously overstating the conception of the independence of the individual human life. It is true that if we were to try to state what we should con-

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ceive to be the whole truth, we should have to take account not only of these eloquent vindications of the individual personality but also of the importance of the idea of the solidarity of human life and of the human group. And yet how great is the change which is marked by this development. After all, it is true to say that the whole character of the life of the modern world is built up on the conviction that the individual man is in the end in some real sense morally responsible for himself. And it is equally clear that to the modern mind the conception that the innocent individual should be punished for the faults of the group to which he belongs would seem immoral and unjust in the highest degree.

We can begin to see the significance of our modern conception of the necessity of liberty. To us liberty is not merely something desirable in the individual life, it is the pre-supposition upon which our whole conception of the life is based. To us a man so far as he ceases to act freely, to think freely, and, if we may say so,

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to feel freely, falls below the level of human nature and descends toward some merely animal, some merely mechanical aspect or conception of life.

We must now examine the relation of these conceptions to Christianity itself. We cannot find a better starting-point for our consideration than the words which are attributed in the Acts of the Apostles to Peter and John when they were called before the Sanhedrin and were bidden by them not to speak henceforth in the name of Christ. Peter and John answered, we are told : " Whether it be right in the sight of God to hearken unto you rather than unto God, judge ye : for we cannot but speak the things which we saw and heard."¹ The words may seem to us obvious enough and even commonplace, but it is also true that they represent, in a singularly clear and marked fashion, the fact that Christianity from the first maintained the principle of the responsibility of the individual to his own conscience and

¹ Acts iv. 19.

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to God, as distinguished from the older conceptions of a group responsibility. The Christian religion, as we have seen, did not for the first time bring this conception into the world ; but it is none the less important to observe that it was this conception of the responsibility of the individual man to God and his conscience, and not merely to the group or state of which he was a member, which was characteristic of Christianity, and it is true to say that we may believe that it was very largely due to the clear and unhesitating acceptance of this principle by Christianity that the principle owed, speaking historically, its rapid diffusion and its common acceptance. We must not exaggerate, we must not say that Christianity created the conception of individual personality and the principle of individual liberty ; but it is, on the other hand, true to say that no one single influence probably has told more towards the development of those conceptions in the modern world than Christianity and the Christian Church. We have quoted the words of Peter and John as char-

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acteristic, but these only furnish one example of a principle which runs through the whole of the New Testament.

It is not easy indeed to state the doctrine of human personality under the terms of religion in a few and simple phrases, but it is clearly assumed by the New Testament that the relation of the human soul to God is an individual relation, and that the moral responsibility of the individual man or woman to God and his conscience is one which cannot be subordinated to the authority of any group or society. This does not, of course, mean that the social relation is unimportant even in the most intimate matters of moral life or of religion. It does not mean that the relation of man to God may not be said, in a certain sense, to be mediated by the society or Church of which the Christian man is a living part. It does not mean that the individual men or women can cut themselves off from the communion of their fellow-men and women, of those who with them are members of the household of God. Indeed if this were

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the place to deal with it, it would be proper to point out that the Christian religion, while insisting upon the freedom and the independence of the human personality on the one side, also insists that this free and individual personality can only attain to its full significance of meaning in the society of the brotherhood. For if it is true that there is a real living relation between the individual soul and Christ, the writers of the New Testament are never weary of reminding men of the unity of all members in the one Body of Christ. The Christian religion does not maintain or support any conception of the possibilities of the full realisation of a human life in the society of God apart from that of our fellow-men, but on the other hand it does maintain the individual or personal relation of men with God. We need not therefore be surprised at the continual insistence, especially by St Paul, on the doctrine of the liberty of the Christian man, for to St Paul these words are not meaningless or empty but do imply a conception of human life which is very different

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in many ways from that which had prevailed before. And this liberty or freedom belongs not to one class or condition or race, but belongs to all men and women in virtue of their human nature and in virtue of their potential relation to God. For the doctrine of the liberty of the human soul is also the doctrine of the equality of men, of the fact that there can be no final difference before God between human individuals. It is the principle that the individual soul has an unmeasurable value and significance which condemns all attempts to establish a human society upon the assumption of the inequality of human life.

This conception of Christianity, of the spiritual and moral independence of human life, is then admirably illustrated for us in the history of the Christian Church during the first three centuries. It is this principle which was maintained by the Church during those centuries in which the Roman Empire endeavoured more or less continuously, systematically, and with more or less determination,

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to suppress Christianity. And the Christian apologists of this time were among the first to develop the conception of the necessity of the toleration of opinions. We must not, of course, exaggerate the character of this period ; it is not our part here to endeavour to give an account of the history of the persecutions, but we may go so far as to point out that the position of the Christian Church, while it was always illegal, was not always that of a society or body of people to which the imperial administration was actively hostile. But it is true to say that throughout the whole of this time the Christian religion was an unlawful religion, and it is not irrelevant to our subject to consider for a moment what this meant. The Roman Empire was tolerant, extremely tolerant, of all national group religions. The Roman Empire, so far from endeavouring to suppress the various religions and faiths of its subject peoples, was tolerant, and even more than tolerant, of all. But it was on the other hand intolerant of all religions which did not belong to some recog-

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nised national group, and it was because Christianity was not a national religion that it was illegal in the Roman Empire. The merely individual religion, the unregulated religion of mere individuals or private groups, was thought of under the terms of the Roman legal system as something subversive of the order of the Empire.

It is true, therefore, to say that the long struggle between the Christian Church and the Roman Empire may most correctly be represented as a struggle between the conception of the individual nature of religion and the group theory of religion. The Christian Church was not the only, but it was at that time the principal representative of the new principle of the liberty of the individual personality.

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CHAPTER II

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WE have then seen that the history of the Christian Church to the time of the conversion of Constantine illustrates in a very significant fashion the great importance of a new conception of individual liberty. We find men claiming a complete independence in matters of spiritual faith from the control of the national or political society of which they were members ; claiming that in regard to the issues of moral and spiritual truth men were autonomous, accountable to God and their own conscience, but not to the family group or the State of which they were members.

This is not, however, all that the new doctrines meant or said. Men are free, but also they are equal ; indeed it is because they are equal that they are free. If the doctrine of

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individual liberty is important, the doctrine of human equality is almost more so, and it is the doctrine both of the New Testament and of the Christian tradition. We must, however, be careful not to claim that this doctrine was first discovered or set out by Christian men ; on the contrary, it is evident that Christianity found the doctrine of human equality in possession of the Western World.

The first important literary exposition, which has come down to us, of this doctrine is to be found in the work of Cicero *On Laws* ; it may, indeed, be conjectured that the dogmatic tone in which Cicero speaks shows very clearly that this was no new doctrine, but that it had already prevailed over the tradition of the older philosophic writers. It would indeed otherwise be impossible to understand how a writer like Cicero should have ventured to contradict with such assurance the conception of Aristotle and Plato.

For indeed he does contradict, he does not merely modify. To Aristotle and Plato the

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order of society was founded upon what appeared to them the fact of inequality, while Cicero maintains that this inequality was either merely superficial or was the result of the circumstances and environments of life, but had no foundation in the real quality of human nature. There is no resemblance, he says, so great as the resemblance and equality of one man with another ; there is only one possible definition of the nature of man, for reason is common to all men ; they differ indeed in learning, they are equal in the capacity for learning ; there is no race of men which cannot attain to virtue ; the same virtues are pleasing, the same vices are detestable to all races ; all men can be made better by learning the true conception of life. It is only the perversions which depraved habit and foolish conceptions have brought with them which cause men to differ so much from each other. Nature has given to all men reason, that is the true reason, and the true law, which is right reason, with its commands and prohibitions.¹

¹ Cicero, *De Legibus*, i. 10, 12.

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Here is indeed a surprisingly incisive and dogmatic statement of the modern conception of human nature ; we might almost, when we read these words, imagine ourselves to be in the time of the French Revolution. And indeed it is true that when we pass from Aristotle to Cicero we pass from the ancient world to the modern.

If we find in Cicero the first important literary exposition of the doctrine of human equality, we find the second in the writings of Seneca, and his statement is almost more remarkable still, for he contradicts the old view in even more significant terms. Speaking of slavery, he repudiates the conception that there is any intrinsic difference between the slave and the master. Virtue can be attained by all—by the free, the freedman, the slave, the king ; virtue cares nothing for a man's home or fortune, but only seeks the man ; a slave can be just, or brave, or magnanimous. We have all the same beginnings, the same origin ; no one is in truth nobler than another, except so far as his temper is more upright, his capacities better developed.

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We are all descended from one common parent, the world ; to this we must all trace our origin, whether by splendid or by humble steps. It is fortune that makes a slave ; slavery is hateful to all men, the kindliness of a slave towards his master is therefore only the more admirable. And finally, most significant of all, slavery is after all only external, it only affects the bodies of men ; their better part has nothing to do with it ; the body may belong to a master, the mind is its own (*sui iuris*), it cannot be given in slavery.¹ Nothing could well be more significant of the change which had come over Western thought than the stress which Seneca lays upon the freedom of the soul. It is just where Aristotle found the ground and justification of slavery that Seneca finds the place of an unconquerable freedom ; the body may be enslaved, the soul is free.

It may possibly be urged that after all these are the words of rhetorical and superficial writers, whose opinions cannot be taken as

¹ Seneca, *De Beneficiis*, 18-28.

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representing the sober judgment of the world. But this is only a mistake. We have only to turn to the jurists of the *Digest* to find that they have exactly the same judgment, and we can see in the Roman Law that these were not merely theoretical opinions, but that they correspond with very important changes in the legal treatment of persons.

It was Ulpian among the great jurists of the end of the second century who expressed the conception of the natural equality of men in a famous phrase: "As far as the natural law is concerned, all men are equal."¹ But the real significance of the words can only be understood when they are brought into relation with the treatment of slavery. The jurist Gaius, in dealing with the legal position of the slave, began by laying down the older legal doctrine that the slave is the property of his master in such a sense that he has no legal rights against him, but he went on to point out that this was no longer true, that the master had no longer

¹ *Digest*, l. 17, 32.

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the absolute power of life and death over his slaves, and that the law interfered to protect the slave from the unreasonable cruelty of the master.¹ This change in the law could be illustrated from the statements of other jurists. Its importance for our purpose lies in the fact that we have here the beginning of the principle of the equality of all men before the law, the principle upon which the structure of modern society is based.

The Christian faith may therefore be said to have found the doctrine of human equality already paramount in the Western world. It is none the less of the highest importance that under its own terms it accepted the principle, and that the Christian conception of human life is founded upon it. In the principle of the Christian faith men are all equal before God, all men are capable of the moral and spiritual life, all are capable of the highest form of life—the life of communion with God.

The question presented itself first under the

¹ Gaius, *Institutes*, i. 52, 53.

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form of the conflict between that religious nationalism which still continued to influence the minds of at least many Jews, and a universalism which looked upon all men as the children of God. Whatever questions may be raised about the universalism or particularism of the Gospels, it must, I think, be admitted that the teaching of our Lord contained the germs of that universalism which ultimately predominated in the Christian Church, and that St Paul interpreted our Lord's meaning justly when he said : " There can be neither Jew nor Greek, there can be neither bond nor free, there can be no male and female : for ye all are one man in Christ Jesus." ¹

The slave is not different from the master, but is, like him, the child of God ; he is in all that makes life most real, his equal, his brother, capable of the spiritual life, or, as the philosophical writers put it, possessed of reason and capable of virtue, not the mere living instrument of another man's purposes or interests, but a

¹ Gal. iii. 28.

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being of immeasurable worth, distinctive and independent ; not a means but an end, an end to himself, to God, and to honest men.

It is no doubt unhappily true that the Church has not always succeeded in keeping its own principle clearly before it. It is unhappily the truth that, sometimes under the influence of the conditions of the Middle Ages, sometimes under that of some pseudo-scientific foolishness in the modern world, Christian men have acted and spoken with little recollection of their own principles ; and yet the great principle of human equality has never been wholly forgotten, has asserted itself and does assert itself in many forms.

Here we must be content to point out that the principle of the New Testament and of the philosophers was accepted and emphatically asserted by every important Christian writer for many centuries. We may illustrate this briefly from the writings of the Christian Fathers. Minucius Felix, one of the Christian writers of the second century, says that all men,

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without difference of age, sex or rank, are born with a capacity and power of reason, and attain wisdom not by fortune but by nature.¹ Lactantius, in the early part of the fourth century, discussing the nature of justice, gives the first place to what he calls "pietas," and then urges that the second part of justice is "aequitas," that is the temper which teaches a man to put himself on an equality with his fellow-men. God, who brings forth and inspires men, wished them all to be equal; He made them all for virtue and promised them all immortality. No one in God's sight is a slave or a master; He is the Father of all men; we are all, therefore, His children.² An unknown writer, whom we call "Ambrosiaster," bids masters remember that their lordship extends only over the body, they have no authority over the soul; God only is the master of that. He bids them remember this, and only exact just service from the slaves, who are still their equals, not to say their

¹ Minucius Felix, *Octavius*, 16.

² Lactantius, *Div. Inst.*, v. 15, 16.

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brethren.¹ St Ambrose, in terms which suggest those of Seneca, says a slave may be the superior of his master : no condition of life is incapable of virtue ; the flesh can be enslaved, the mind is free ; and, in another place : whether we are slaves or freemen we are all one in Christ.² Salvian speaks of that human nature and condition which makes masters and slaves equal.³ And finally, Gregory the Great, in a phrase which has become classical, admonishes men to remember that by nature we are all equal—nature brought forth all men equal : “ Omnes namque natura aequales sumus.”⁴ This is one of the most famous phrases in Christian literature, and it is well to notice it carefully, for here is a writer, not of the French Revolution, not a modern humanitarian, not a sentimental enthusiast, but one of the greatest practical administrators in the history of the Western

¹ Ambrosiaster, *Comm. on Col.*, iv. 1.

² St Ambrose, *De Ioseph*, 4 ; *Exhortatio Virginitatis*, i. 3.

³ Salvian, *De Gubernatione Dei*, iii. 28.

⁴ St Gregory the Great, *Exp. Mor.*, xxi. 15.

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Church, who lays down the great broad principle: "All men are by nature equal."

Here, then, is the doctrine with which Christianity set out on its course through the world. Here is the principle which, in spite of all failures, does actually underlie the whole of our religion, and the legal and political structure of modern society. We can without difficulty recognise how significant and far-reaching has been its influence on the modern world. We can see how far removed is the conception of human nature which is held by the modern world from that of the ancient.

We must, however, be on our guard against a mistake which is not infrequently made by Christian apologists, the mistake of suggesting that it was Christianity which destroyed slavery. Whatever may have been the ultimate indirect influence of Christianity in contributing to the destruction of slavery, it is simply not true that the Christian Church of the first centuries had any direct or important share in its disappearance. It is unhappily true

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that in a certain measure some of the Christian writers rather tended to strengthen the institution.

With the disappearance of the theory of inequality, the older philosophical justification of slaves disappeared, and it is very noteworthy that the Roman jurisprudence had no serious justification to put in its place. The only explanation which the Roman lawyer could give was a supposed derivation of the word "servus," namely, that it was derived from the verb "servare," "to preserve," and that the word "servus" means a person who is defeated in war, and is kept alive instead of being killed. A victor who might have slain him, if he chooses to keep him alive, is entitled to hold him as a bond-servant. A somewhat inadequate justification of the moral propriety of slavery!

Several of the Christian Fathers unhappily discovered what seemed to them a new theoretical justification of the institution. Slavery, Ambrosiaster said, in the fourth century, is the

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consequence of man's sin ; God made man free, but sin brought slavery into the world.¹ St Augustine, in a very famous passage, expressed the same conception when he said that God did not make rational men to be lorded over by other men, but the condition of slavery was, by God's will, imposed upon the sinner ; the first cause of slavery was sin.² St Isidore of Seville said that it was on account of the sin of the first man that the penalty of slavery was, by the divine will, imposed upon the human race, in order that those who were not fit for freedom might be subjected to the discipline of slavery. Slavery serves to restrain the tendency to evil-doing on the part of the slaves, by putting them under the control of their masters.³

The Christian Fathers, that is, looked upon slavery as one of those disciplinary institutions which are necessary under the actual condition of human nature—that is the actual sinfulness and

¹ Ambrosiaster, *Comm. on Col.*, iv. 1.

² St Augustine, *De Civ. Dei*, xix. 15.

³ St Isidore of Seville, *Sent.*, iv. 47.

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viciousness of human nature—though it did not, in their judgment, belong to the ideal condition of human life. It is, of course, impossible to say how far this theory of the Fathers did actually tend to maintain the institution of slavery.

There is, however, something more still to say. Not only did the Christian Fathers justify slavery, but St Augustine, with rather characteristic perversity, repudiated very emphatically the notion that the precedent of the liberation of the Hebrew slave in every seventh year should be applied to the case of the Christian slave ; the Apostle, he says, had admonished the slaves to obey their masters, but Christian slaves should not demand such a manumission.¹ And a still more emphatic assertion of the ecclesiastical approval of slavery may be found in a canon of the Council of Gangrae in the fourth century. In this canon the anathema of the Church is laid upon anyone who “ under the pretence of godliness ” should teach a slave to

¹ St Augustine, *Quaestiones in Hept.*, ii. 77.

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despise his master, or to withdraw himself from his service.¹

This somewhat violent assertion of the rights of the master over his slaves evidently exercised a considerable influence, at least in the ninth century. Among the letters of Hrabanus Maurus there is one which discusses the question whether it was lawful to say mass for the soul of a slave who had died while escaping from his master, and he quotes the canon of Gangrae. He himself decides that it is lawful to do so, and suggests that the degree of the slave's fault depends upon the cause of his flight. But he is clear that a fugitive slave is to be admonished to return to his master, though he should not be anathematised.²

The canon of Gangrae passed into the great collections of the Canon Law: it is cited by Burchard, by Ivo of Chartres, and by Gratian in his *Decretum*; and Burchard cites a canon of the Council of Altheim which professes to

¹ Council of Gangrae, Canon 3.

² Hrabanus Maurus, Ep. 30 in Mon. Germ. Hist.

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repeat a saying of Gregory the Great, that a slave flying from his master was to be excommunicated until his return.¹

The Church, then, not only recognised slavery, but lent some of its authority to enforce it ; and it should further be noticed that the Church was itself even a slave-owner on a considerable scale, and that the Church rigorously prohibited the ordination of the slave. It is, however, also true that the Church lent its authority to that progressive amelioration of the condition of the slave, whose beginnings we have already seen in the Roman jurisprudence, especially with relation to women slaves and the marriage of slaves. Hadrian IV, in the twelfth century, laid it down that slaves were free to marry each other, and that the marriage was as indissoluble as that of free men and women.² The Church also taught that the emancipation of a slave was a meritorious action acceptable to God.³

¹ Burchard, *Decretum*, xi. 78.

² *Decretals*, iv. 9, 1.

³ Cf. esp. Gregory I., Ep. v. 12, and Smaragdus, *Via Regia*, 30.

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It was not Christianity which destroyed the slavery of the ancient world. The disappearance of slavery, or rather the replacement of it by serfdom, was due in the main to economic and political causes, and the gradual disappearance of serfdom after the fourteenth century was evidently due to similar causes. In the sixteenth century, and in consequence of the contact between the white and negro races, slavery reappeared and became an important factor in the life of the European settlements in the new world of America. For the time it might have seemed as though the Christian principle of the equality of human nature exercised little restraining influence either upon the development of the new slavery or upon its conditions. It was not till the end of the eighteenth century that there developed the movement which in the nineteenth century destroyed slavery. This movement was connected on the one side with the development of the democratic idea in Europe, but it may also be said that it was very closely connected,

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especially in England, with a new recognition by Christian men of the incompatibility of their religious principles with the fact and with the circumstances of slavery. It is significant that the leaders of the anti-slavery movement in England were men like William Wilberforce who represented the great Methodist and Evangelical revival of religion, and the renewed conviction that even the humblest, the most ignorant; and the most degraded of men had in them the capacity for the life of communion with God. Their vision of life may have been restricted, but it is at least certain that it was the Evangelicals, joining with the Society of Friends, who carried through, in the face of obloquy and contempt and misrepresentation, the great struggle for the emancipation of the slave. And here at least we may feel that the apprehension by Christian people of the doctrine of the freedom and equality of human personality was no abstract thing, but had an immense and living significance.

**THE CHURCH AND POLITICAL
AUTHORITY**

CHAPTER III

THE CHURCH AND POLITICAL AUTHORITY

WE must now consider one aspect of the relation of the Christian Church and Christian theology to political liberty. From some points of view, it must be quite frankly recognised, the influence of the Church has at times, both in theory and in practice, been highly unfavourable to the progress of liberty, while on the other hand it should be recognised that in its profounder aspect the principles of life represented by the Church can only be satisfied by liberty. It is, of course, well known that there was a doctrine from time to time current in the Christian Church which was known as the doctrine of the divine right of kings. In the seventeenth century, especially in England, and also to a large extent in France and other European countries, it was frequently said in

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the name of the Church, by men who claimed to represent something of its authority, that the king was the representative of God in such a sense that it was always and in any circumstances illegitimate to disobey or to resist him. It is hardly necessary here to describe the absurdities into which this position drove especially a great many very excellent and well-meaning members of the Church of England. It was this doctrine which created the party, if we can call them so, of the Non-jurors after the Revolution of 1688. For there were many, and these otherwise estimable men, who felt it to be contrary to their sincere convictions to take the oath of allegiance to those who had taken the place of the Stuart family. That these views appear to us obviously absurd does not mean that they did not once exercise a very considerable influence in the world. And we must briefly examine the question, and consider how far such views can legitimately be regarded as having any real foundation in the tradition of the New Testament or of the later Church.

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To understand this matter we must go back to the New Testament and consider what was meant by some great phrases used by St Paul. In the 13th chapter of the Epistle to the Romans, St Paul speaks as follows : “ Let every soul be in subjection to the higher powers, for there is no power but of God, and the powers that be are ordained of God. Therefore he that resisteth the power withstands the ordinance of God, and they that withstand shall receive to themselves judgment.” It is upon these words that in large measure those who maintained the theory of the divine right of kings sought to establish their position. We must therefore ask ourselves what it was that St Paul meant ? In order to understand his meaning we must read a little further. St Paul goes on to say : “ For rulers are not a terror to good works, but to the evil. And wouldest thou have no fear of the power do that which is good, and thou shalt have praise from the same, for he is a minister of God to thee for good. But if thou do that which is evil, be afraid, for he beareth

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not the sword in vain : for he is a minister of God, an avenger for wrath to him that doeth evil. Wherefore ye must needs be in subjection, not only because of the wrath, but also for conscience sake." It does not require any very profound consideration to see that what St Paul meant was that the function or purpose of government is the establishment of what we may call a righteous order, or justice, and that the ruler is in his view the minister and representative of God, because and just in so far as he does embody in his actions something of the justice of God, and enforces and maintains a righteous order. If the words of St Paul show how clearly he holds that obedience to a rightful authority is a matter not merely of constraint but of conscience, he also shows very clearly the meaning of this obedience and its limitations. That St Paul should be interpreted as meaning that men were bound to obey any authority, however unjust in its nature and unrighteous in its actions, is obviously a mere travesty or caricature of St Paul's mean-

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ing. But in order to make the matter clearer, it is well to recognise that St Paul is here only expressing the fundamental judgment of all the great political thinkers of the ancient world both of the centuries before him and of those who were more or less his contemporaries. For the distinction between a good or just government and an evil or unrighteous government was perfectly familiar to the ancient world. And the notion that there could not be any legitimate authority if it did not represent the principle of justice, whether in law or in government, is expressed with equal clearness by Aristotle, Cicero, and the great Roman lawyers. We do not therefore need to look for the origin of St Paul's phrase in any ideas or circumstances which were specifically Christian. St Paul is only here throwing into the terms of Christian theology the common doctrine of the civilised world. And it is in this sense that he was understood by the more careful of the Christian Fathers. It is hardly necessary to illustrate this, because the matter must be one

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of common knowledge to anyone who has any acquaintance with Christian literature. But in order to make the matter clear it may be well to cite a few examples. The Fathers, from Clement of Rome downwards, are all perfectly clear and emphatic in asserting that the authority of the ruler is derived from God. Irenæus, for instance, in a very interesting passage, says that the devil in the temptation of Christ was, as always, lying, when he said that he would give our Lord the kingdoms of the world if He would fall down and worship him; for the kingdoms of the world were not his to give. "It is not the devil," Irenæus says, "who hath appointed the kingdoms of the world, but God Himself." We find in the fourth century the title of the Vicar of God attributed, by the somewhat curious and eccentric writer known as Ambrosiaster, to the emperor. And while no doubt in the Middle Ages the title was more generally used of the head of the Church, that is the Bishop of Rome, it was used also from time to time of the secular ruler. But what the

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Christian Fathers understood by such phrases is admirably explained, for instance, by St Ambrose. St Ambrose, in one place, lays down the principle that justice and beneficence are the "ratio," or principle, as we might call it, of the State. It is justice which builds the State up, and injustice which destroys it. And he draws out the meaning of this when he says that authority is from God in this sense—that he is God's minister who uses the authority well.¹ He draws, that is, a distinction between the sacred office of the ruler and the possibly faulty character of the person who may administer it. So again, if we turn to St Isidore of Seville, at the end of the sixth century, we find him defining society, in the terms of a phrase of Cicero, as a body of men joined together under one system of law or justice, and he draws out very sharply the contrast between the true king and the tyrant. The king, he says, is so called from ruling "rex

¹ St Ambrose, *De officiis*, i. 28, ii. 19; *Exp. S. Lucae*, iv. v.

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regendo," in the Latin phrase: the king holds his title when he does rightly, he loses it when he transgresses against right. And again in another place he says that justice with "pietas" is the chief virtue of kings.¹ There is no reason to suppose that the Christian Fathers or the Christian people in general were either in the earlier centuries or later in any confusion about the matter.

Unhappily another tradition crept into the Christian Church. St Augustine, with that curious infelicity which sometimes characterises his work, in some places at any rate, seems to lay down that the ruler is God's representative whether he is good or whether he is bad.² And a little later one of the greatest and most influential of Christian writers, St Gregory the Great, of Rome, developed this into the doctrine that obedience must always be rendered to the king whether he is good or bad, whether wise or foolish. In his work on the Pastoral Care,

¹ St Isidore of Seville, *Etym.*, ix. 4, ix. 3.

² St Augustine, *De Civ. Dei*, v. 19.

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he admonishes all subjects to be careful lest when they recognise the faults of their rulers they should grow bold against them, and he urges that even if the ruler's actions are evil, subjects should be constrained by the fear of God to submit to their yoke. For when we transgress against our rulers we transgress against the ordinance of God who set them over us.¹ And in a passage in his treatise on the Book of Job he says that he who would murmur against the authority which is set over him is really murmuring against God who gave this authority to men.² Here we have stated very clearly the doctrine of the absolute divine right of kings, and of the unlawfulness of resistance, and it is in these words that we have the beginning of that doctrine which in the seventeenth century especially was more completely developed in Europe.

We may very well ask how it came about that Christian writers should have fallen into this

¹ St Gregory the^c Great, *Reg. Past.*, iii. 4.

² Id., *Libri Moralem in Job*, xxii. 24.

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extraordinary confusion, should have thus perverted and misapplied the Christian conception of the sacred character of political authority. It is probable that the sources of the error were somewhat complex. Something must probably be allowed for a natural reaction against certain anarchical tendencies in the primitive Church which made themselves from time to time obvious. Something more, we think, was due to the unhappy development in the Church after the conversion of Constantine, of that repression and persecution of paganism or of irregular and heretical forms of Christianity of which we shall speak in another chapter. No doubt those persons who called in the authority of the State to repress the heretic or schismatic would have said that they had no intention of suggesting that the State had authority in matters of religion, but actually the policy of persecution did tend to make the State into the arbiter between contending factions in the Church, and did increase the tendency to an exaggeration of the position of the secular power. We must,

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no doubt, take account of this consideration when we try to explain the development of the theory of the unlimited divine right of the ruler. But it is probably not true that the real origin of the doctrine lies in these things. It is probably more true to say that the doctrine represents the introduction into Western civilisation of an Oriental conception of government. It is probably true to say that here, as in some other directions, we can see some of the bad effects of Semitic and Oriental traditions which the Christian Church inherited with the Old Testament. It is noticeable that St Gregory the Great, in those passages to which I have referred, bases his judgment upon certain passages, especially in the Books of Samuel, passages which present one aspect of the Hebrew conception of the position of the ruler—that is, the conception of the king as the Lord's anointed. In the places referred to by St Gregory the Great, David is represented as having abstained from taking any violent action against Saul, even when he was unjustly and

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unreasonably persecuted, because he was the Lord's anointed. It must, of course, be remembered that our knowledge of the Hebrew conception of government is very vague, and it is certain there were very various elements in it. No reader of the Prophets can fail to see that for them the king was only the servant and minister of God, that he was responsible to God for the maintenance of justice and mercy, and that they were very confident that neglect or injustice would bring upon him the swift and certain judgment of God. There are few stories in literature more vivid than that of the denunciation of David by the prophet Nathan for the murder of Uriah, and the judgment that followed. And there is an admirable parallel to this in the story of Elijah and the punishment of Ahab and Jezebel for the murder of Naboth. Certainly the Prophets of Israel were not soft-spoken men. To them the king was nothing if he was not the servant of God.

But it remains true that the conception of the

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monarch as being in some sense the embodiment of the divine power was a common feature of the great monarchies of Asia, and there can be very little doubt that in the main we shall be right if we conclude that this theory of the absolute divine authority of the monarch is to be regarded as an intrusion of Orientalism into Western civilisation.

We have thus seen that it is true to say that in the literature of early Christianity there are elements which belong to what we should call the wise and rational theory that political authority is sacred because and in so far as it represents a just and righteous order, but that there was also present from a very early date the tendency to think of this authority as sacred and divine whether it was just or not. We must therefore inquire, in the next place, what was the history of this conception in Christian civilisation, that is primarily in the history of the Middle Ages. And here fortunately there is no room for ambiguity. The writers of the Middle Ages are unanimous in agreeing that political

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authority is a thing sacred and divine. That is the meaning of those great titles or phrases which have come down to us from the Middle Ages. When Charles the Great called himself Emperor by the grace of God, and when the King of England to this day is still called King by the grace of God, what is meant is that the principle of political authority is a thing not profane or indifferent, but sacred. And mediæval writers are never weary of appealing to this principle. On the other hand, it is also true to say that with rare exceptions they are perfectly clear in their judgment and forcible in their statement of the principle that no authority is legitimate which is not a just authority. We might almost say, indeed, that the political treatises of the Middle Ages, not least those of the ninth century, look upon this conception of justice as the whole purpose as well as the fundamental principle of government. It is the king's business to set forward justice—he is the servant of righteousness. It is perhaps worth while to point out that if there was at any time any

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hesitation about this matter, the principle was fully developed and dogmatically asserted in the course of the great civil and ecclesiastical conflicts which raged from the eleventh to the thirteenth centuries. We could illustrate this from many writers, but a few must suffice us. The distinction between the king and the tyrant was one of the most important political conceptions of the Middle Ages. The most complete statement of the conception is perhaps to be found in the *Policraticus* of John of Salisbury. This, he says, is the only or supreme difference between the tyrant and the prince—that the prince governs according to the law and obeys the law himself; the tyrant is one who oppresses the people by violence and is never satisfied until he makes the law void and reduces the people to slavery.¹ Here is the opinion of a writer of the tenth century, Ratherius of Verona: There are certain qualities without which a man may indeed have the name but not the reality of

¹ John of Salisbury, *Policraticus*, iv. 1, viii. 17.

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kingship. The king must be prudent, just, brave, and self-restrained ; without these qualities, even if a man hold the dominion of the whole world, he cannot justly be called a king. For when a man governs ill he loses his authority.¹ We find the same judgment in the *Proverbs* of Wippo : The king must learn and hearken to the law, for to keep the law is to reign.² But it was with the great civil wars of Germany in the eleventh century that the principle began to be most dogmatically asserted. Here is a writer of the eleventh century, Herrand, Bishop of Halberstadt, answering another writer who had urged the words of St Paul. Herrand replies that this writer was misinterpreting St Paul, for even the prophet Hosea had spoken of princes who reigned but not as representing God. How can such a government, he urges, as that of Henry IV be called an order at all, for it is no order to confuse right and wrong. A kingdom was something which was rightful.

¹ Ratherius of Verona, *Præloquiorum*, iii. 1.

² Wippo, *Proverbia*.

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You cannot call that society a kingdom where innocence was oppressed and where there was no place for reason or judgment. Such a kingdom should rather be called a congregation of the wicked.¹ We find even an extreme defender of the secular position recognising that there had been kings who were no true kings but only tyrants. Our Lord had bidden men give to Cæsar that which was Cæsar's, but He did not say, render to Tiberius the things which are Tiberius's. The person may be evil, the authority is just.² Or again, about the same time, the papalist writer Manegold draws the sharp distinction between kingship and tyranny, and emphatically states his conclusion that the ruler who governs tyrannically has no claim upon the obedience of the people.³ It will be enough to sum this up by noticing the words of St Thomas Aquinas : "A tyrannical rule is not just, for it is not

¹ Herrand, "Epistola," M. G. H., *Tibelli de Lite*, vol. ii.

² *Tractatus Eboracenses*, iv.

³ Manegold, *Ad Gebehardum*, xxx.

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directed to the common good, but to the private advantage of the ruler, and therefore a disturbance of this rule has not the nature of sedition.”¹

Such, then, was the mediæval interpretation of the doctrine of the divine nature of authority. It has no relation whatever to the theory of the divine right in Gregory the Great or in the sixteenth or seventeenth century writers. It would take too long here to inquire how it was that a doctrine which was thus emphatically repudiated by the Christian tradition of the Middle Ages should have developed again in these later centuries. It must suffice here to say that it coincided with a certain development of a theory of sovereignty, that is of a power behind and above the law, which was intelligible and reasonable, but which was easily capable of perversion in the political circumstances of those times, under the conditions of the development of the Renaissance and post-Renaissance monarchical absolutisms. But again it was clearly rejected by such a great philosophical and

¹ Thomas Aquinas, *Summa Theologica*, 2. 2. 42. 2.

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ecclesiastical writer as Richard Hooker in England.

It may therefore be said, looking over the whole matter, that it is on the one side true that the Christian Church was actually the vehicle through which a monstrous and barbaric Orientalism intruded itself into the political thought of Western civilisation, and so far, and to this extent, the Christian Church was responsible for a doctrine which militated violently against the liberty of human life. But it is, on the other hand, true that the clearness with which St Paul and the vast majority of the Christian writers recognised that the rationale of all authority is in the end nothing but the maintenance of a righteous order, or what we generally call justice, did render an immense service to the progress of liberty, and, as we shall see later, it is probably true to say that the Church has still an important part to play in vindicating this conception of the nature of the authority of society against some mischievous and dangerous political tendencies of the modern world.

CHURCH AND STATE



CHAPTER IV

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It has not always been observed that there is one aspect of the position of the Christian Church which is not only remarkable, but which has no doubt a very intimate relation to the development of the conception of human liberty. This is the distinction between the Church and the State, and the independence, or, at least, the measure of independence, which the Church has claimed in relation to the State. Even when it cannot be said that the Church has represented adequately its own principle of the autonomy or independence of the individual personality ; even when it has striven to subject the individual conscience to its own control, it has at least not only recognised, but on the whole continually insisted, that there are aspects of human life which can never be under the control of the

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State. And in doing this, it has no doubt rendered great service to the cause of human liberty.

This distinction between Church and State can hardly be said to have existed before the Christian era. It is obvious that whatever may have been the origin of the Hellenic or Roman religions as we know them, they were merely one aspect of the life of the community, whether that community was the family, the tribe, or the State. This is indeed only one aspect of that solidarity of the life of the group of which we have before spoken. And it was not until about the period of the Christian era that this conception broke down. There was to a Greek or Roman no Church as distinguished from the State, or if we prefer to put it so, no State as distinguished from the Church ; but Church and State were one thing. And though in the Hebrew societies there is to be found the distinction between the office of the king and the priest, and though the divine revelation was mediated by those whom we call the Prophets,

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yet even here it would, we think, be difficult to speak with any propriety of such a distinction as that which we make between the Church and the State. The distinction is clearly one which could only arise in the terms of the development of that conception of the responsibility of the individual person and his conscience of which we have spoken before. It is, of course, obvious that the conditions under which the Christian society was first developed made this distinction between the Church and the State obvious and even paramount in its experience. For, as we have observed before, for some three hundred years the Christian Church was not merely separate from the Roman State, but was continually in violent opposition to it. There could be no doubt at that time about the separation of Church and State.

It is, however, with the history of the Christian Church after the conversion of Constantine that we are here most closely concerned. For it may be thought that after his conversion there was at least some tendency to look upon the two

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authorities as not merely co-operating but as fused. The conversion of Constantine and the official Christianisation of the Empire brought with them entirely new circumstances, and the Church had to find its true place in these with much difficulty. That there was for a time a certain ambiguity seems to be probable, but we think that while some of the Fathers may have used ambiguous phrases, there can be no serious doubt that after the conversion of Constantine, as much as before it, Western churchmen clearly refused to recognise any authority of the civil ruler in spiritual matters. Rufinus of Aquileia, for instance, has preserved in his history a report of the speech which Constantine is said to have made to the Bishops at the Council of Nicæa.¹ Constantine is represented as acknowledging frankly that he had no jurisdiction over bishops in spiritual matters. Again, Hosius of Cordova is quoted by Athanasius as repudiating in most emphatic terms the notion that the emperor had any right to inter-

¹ Rufinus, *Hist. Eccl.*, i. 2.

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fere in Church affairs.¹ But the writer in whom this perhaps becomes most clear is St Ambrose. He, like all the Fathers, recognised the divine character of the civil order, and insists that the Christian man must render obedience to the civil ruler in virtue of his religion. But, on the other hand, he urges that the Church has jurisdiction over all Christian men, and its jurisdiction extends even over the emperor, for the emperor is the son of the Church, subject to its authority. The emperor is within the Church, not over it.² And what St Ambrose thus expressed in many parts of his writings he carried out also in fact, as we know from the famous story of his exclusion of Theodosius the Great from the Church on account of his responsibility for the massacre at Thessalonica. But the conception of the relations of the Church and the State in the West was finally defined or set out in the fifth century in the tractates and letters of Pope Gelasius. In one most important

¹ St Athanasius, *Hist. Arianorum*, 44.

² St Ambrose, *Ep.* xxi. 4.

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passage he says that before the coming of Christ there were some who were both kings and priests, such as Melchisedek. The true and perfect King and Priest was Christ Himself, but Christ, knowing the weakness of human nature and being careful for the welfare of His people, separated the two offices, giving to each its peculiar functions and duties. And in another place, there are, he says, two authorities by which chiefly the world is ruled—the sacred authority of the prelates and the royal power.¹ This is the doctrine of Church and State from which the Mediæval Church started, and it is the doctrine which in spite of some confusions and uncertainties it continued to maintain. There may have been a time when the great Church of the Middle Ages, or at any rate some representatives of it, thought of claiming that the Church, or perhaps rather the Papacy, was supreme over the State, but it is not I think true that this doctrine ever became an official or recognised doctrine of the Mediæval Church.

¹ Gelasius I., *Tract.*, iv. 11, *Ep.* xii. 2.

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It remained at the most a private opinion, while normally mediæval writers tended to recur to the doctrine of Gelasius. It is no doubt true that the relations of Church and State in the Middle Ages were often highly complicated, and it would not be difficult to find passages in the mediæval writers from the ninth century onwards which might be interpreted as meaning that the State had some authority over the Church, or that the Church had some authority over the State. In the ninth century especially it would be easy to produce evidence which might seem to show that the temporal power was really superior even in ecclesiastical matters, or on the other hand, to show that the Church was actually superior to the State. But it is clear that to interpret such statements as we find in this way is to fall into a misunderstanding. No doubt there was a time from the eleventh to the thirteenth centuries when the Western world was distracted by the clamour of the great struggle between the Church and the Empire ; but normally their relations were

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friendly. The conditions were indeed so complex that it would be possible to find grounds for almost any view. We may take, as an illustration of what we mean, the attitude of an important ninth-century writer to this question. Sedulius Scotus, in his treatise on *The Christian Ruler*, begins by urging upon princes that the commonwealth can only flourish when the king fears and honours God and provides carefully for the well-being of the Church. The good ruler, he says, will set forward the well-being of the Church in all ways, and he must remember that God has set him as His vicar in the government of the Church, and has given him power over both orders of rulers and subjects. And therefore he is specially admonished to see to the holding of Church synods every year.¹ Here we have one aspect of the relations of the king to the Church. The king has some real responsibility for the well-being and the good order of the Church. But in another chapter we shall find the contrasted view. He is

¹ Sedulius Scotus, *De Rectoribus Christianis*, 19.

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warned abruptly and somewhat sharply that he must not recklessly interfere in ecclesiastical affairs ; he must beware lest he should judge of any ecclesiastical matter before he has learned the decrees of the synods. The pious ruler will carefully hear what is just and lawful according to the decision of the Bishops, and will then give his consent and authority to what is just and true.¹ It is clear from such passages as this that to the mediæval writers the two powers, while clearly related in their responsibilities and in their purposes, were yet fundamentally distinct, and that each was independent in its own sphere. In the ninth century the two powers had co-operated without injury to the general tranquillity of their relations, but in the eleventh and twelfth and thirteenth centuries it was the difficulty of finding a just form for these relations which produced the great conflicts. It is not our part here to discuss the merits of these great conflicts, or to estimate the significance of the policy of Hildebrand or the

¹ *Idem, ib.* II.

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aspirations of Frederick Barbarossa. It is possible to recognise that the men on either side were honest in their intentions and just in their principles. What we are concerned with is that the great conflicts stamped upon the memory of Europe in ineffaceable lines the principle that in the long run the Church must be independent of the State, and the State of the Church. We are not here concerned to discuss the questions which have been raised upon what in later times have been known as the principles of establishment or disestablishment, but what may be here asserted is that so far as the relations of the Church to the State hamper and limit the freedom of its spiritual development, those relations become intolerable. For it is in the end true, as we said at the beginning of this chapter, that if the Church has often endeavoured to enslave human nature to itself, it has at any rate almost always vindicated the freedom of the spiritual life from the control of the civil power.

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CHAPTER V

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WE have been endeavouring so far to consider the influences of the Christian Church as expressing and vindicating the conception of individual liberty. We have now to turn to another aspect of the subject, and to recognise, as we must do, that unhappily the Christian Church also gravely misunderstood its own position, and has often acted in complete contradiction to its own first principles. It might naturally have been imagined that the Church which had maintained the liberty of individual religion as against the authority of the group, as represented by the Roman Empire, would have been careful to preserve and maintain the same conception when it had achieved its own liberty. This was not the case. We cannot here describe in detail the process by which the

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Church turned from the position of the defender of liberty of conscience to the position of an authority which menaced and endeavoured even at times to suppress that liberty. We can only observe that this transition was effected in the course of the fourth and fifth centuries. The Edict of Milan was an attempt at toleration. It did not in itself give the Church any privileged or authoritative position, but it was not long before the Empire began to discourage and finally to suppress paganism. The history of this subject can be studied in the legislation of the Theodosian Code. What is perhaps more important for our purpose is the process by which the Church came to use the authority of the Empire against those who were heretical or unorthodox Christians. The conversion of Constantine coincided almost exactly in time with the development of the great Arian controversy in the Church. It was no doubt with the best intentions that Constantine arranged for the meeting of the Council of Nicæa in the year 325, for Constantine

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realised the great mischiefs that might arise to the Church and to society at large from a violent conflict within the Christian community. But it was most unfortunate that Constantine should have thought that he should lend his authority to the party which predominated at the Council of Nicæa for the discouragement or suppression of the followers of Arius. How far the authorities of the Church were themselves directly and immediately responsible for the forcible intervention of the State we cannot here stop to discuss. It is at least clear that they acquiesced in the attempt of the Empire to impose unity on the Church by the use of the secular powers.

When a few years later the emperors for the time went over to the Arian, or what has been called the semi-Arian, party, it was no great wonder that the authority which had been used to maintain the orthodox position was now used to maintain the unorthodox party. But it might at least have been hoped that this action on the part of the Arian emperors would

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have served as a warning to the Church of the danger of allowing the intervention of the State in these ecclesiastical disputes. Unhappily the Church did not learn from its experience, and when the orthodox or Catholic party once again received the support of the emperors after the death of Julian, it acquiesced in, if it did not actually demand, the suppression of parties which differed from it.

It was not, however, until the fifth century that the Christian Fathers can be said to have formally defended and justified the theory of persecution. And it was due in the main to the great, but as often mischievous, influence of St Augustine, that the theory of persecution was finally accepted by the Christian Church. This took place in relation to a dispute with which we are not otherwise here concerned, between the Catholics and the schismatic or separatist Christians known as the Donatists. These Donatists were orthodox in their belief, but differed emphatically, and no doubt even violently, from the Catholics on the question

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of the discipline of the Church. They were especially powerful in North Africa, and it was thus that St Augustine became involved in the controversy. It is especially in some of his letters that St Augustine, who had apparently in his earlier life been opposed to compulsion in matters of faith, expressed his conviction of the propriety of the use of coercion (*e.g. Epistle 204*). This doctrine of St Augustine might indeed have passed unobserved, but unhappily it corresponded with the whole tendency both of society and of the Church. And St Augustine's treatment of the subject, owing to the great authority of his writings, passed into the body of the mediæval Canon Law, and furnished at least an important part of its declarations in favour of compulsion in matters of faith—that is, to put it more plainly, of religious persecution.

It is true that it was slowly and somewhat reluctantly that Christian people as a whole accepted this development. Even when they were agreed that the State might legitimately use a considerable degree of pressure to induce

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the heretics or schismatics to submit to the normal order of the Church, they hesitated before they would consent to the use of extreme forms of violence against such dissenters. It is to the perpetual honour of St Martin of Tours, in the fifth century, that when some bishops of the Church in Spain acquiesced in the execution of the leader of one of the heretical bodies, St Martin not only expressed his disapproval, but resolutely refused to admit persons guilty of such conduct to communion. And it is not unimportant to bear in mind that this action of St Martin was never wholly forgotten, and that we find reminiscences of it from time to time in mediæval literature.

Still it remains that the Church acquiesced not merely in the practice but in the principle of religious persecution, and that the error of the Fathers was in this matter continued by the Mediæval Church. It is not our part here again to consider in detail the history of persecution in the Middle Ages or in later centuries. Indeed the facts are too familiar to require any

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detailed description. It was normally assumed throughout the Middle Ages that it was not only the right but the duty of the State to use the strongest and most violent measures for the suppression of heresy. It is no doubt true that the Church itself never carried out the final measures through its own officers, but handed over the heretic to be dealt with by the secular power. There are few things in history more deplorable, few things which are more horrifying to the moral sense of the man of to-day, than the suppression of the Albigenses in the thirteenth century. The violence, the cruelty, the bloodshed and horrors with which that suppression was accompanied have left an ineffaceable stain upon the Mediæval Church. But if the crusade against the Albigenses was dreadful, the deliberate and coldly organised suppression of heresy under the terms of the later development of the Inquisition was no doubt still more deplorable. It is idle to attempt apology, as it is useless to attempt to deny the general truth of the story as it has

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come down to us. The Mediæval Church was intolerant, was the source and author of persecution, justified and defended the most violent measures which could be taken against those who differed from it.

This means, then, that in the course of these centuries the Church ceased to be the protector of the spiritual liberty of the individual, and rather for the time being became its most formidable enemy. And we cannot, unhappily, say that this condition of things has ever wholly passed away.

It is, however, necessary to draw attention to one aspect of the mediæval conception of the responsibility of the individual which has not always been clearly understood, either by the critics or by the apologists of the Church. As we have seen, the Church was prepared to take the most violent measures to suppress those who differed from it, and while there has been a certain misunderstanding about its normal effects, there is no doubt that the great disciplinary instrument of excommunication,

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with all its spiritual and temporal consequences, was for many centuries almost overwhelming. But it is just at this point that it becomes important to look a little more closely at the mediæval theory of excommunication. It has not always been observed sufficiently clearly that in the mediæval Canon Law the doctrine of excommunication is more complicated than people have thought. We can, fortunately, form a very complete view of the canonical theory of excommunication from the eleventh century to the thirteenth, and it is quite clear that no canonist of authority doubted that the sentence of excommunication might be wholly unjust, and therefore in the sight of God invalid. The power of excommunication was not an arbitrary power, but could only be exercised for lawful reasons and in a lawful manner. An unreasonable or unjust sentence of excommunication had not, in the canonical theory, any final validity. It was, no doubt, right and necessary that a man should submit to it unless or until it could be revised by competent

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authority, but such a sentence had no effect before God. This is laid down in the eleventh century by one of the most important and most determined supporters of the extreme Papal position — Cardinal Deusdedit. An unjust excommunication, he says, injures him who inflicts the sentence rather than him who is sentenced. The Holy Spirit, by Whom men are bound or loosed, will inflict on no man an undeserved punishment. Justice annuls an unjust sentence, and the man who is unjustly sentenced will ultimately be recompensed.¹ The same principle is set out with clearness by the great canonist, Gratian, in his *Decretum*.² And what is more important still to observe is that the same doctrine was expressed with the greatest clearness by one of the strongest and most masterful of the Popes. In the collection of the Decretals we can still read the words of Innocent III in which he lays down that there may be cases where a Christian may

¹ Deusdedit, *Collectio Canonum*, iv. 72.

² Gratian, *Decretum*, Causa xi., Quæstio 3.

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know that a certain action would be a mortal sin, that it may not be possible to prove this to the Church, and that in such a case he must rather submit to excommunication than commit the mortal sin. And in another place the same Innocent III lays it down explicitly that while the judgment of God is always true, the judgment of the Church may be erroneous, and thus a man may be condemned by God who is held guiltless by the Church, and condemned by the Church who is guiltless before God.¹ It is important to take notice of these principles, for they make it clear that, while the Church, in its actual policy and action, might have seemed wholly to have forgotten its own first principles of the inalienable responsibility of the individual personality to God, something of its own principle did remain alive.

However important this is, it remains true that the Church of the Fathers, the Church of the Middle Ages, and the Church of the sixteenth and seventeenth centuries, in adopting the policy of

¹ Decretals, v. 39. 28 and 44.

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persecution, did become the enemy of human liberty. And it must not, unhappily, be supposed that the great movement of the Reformation in itself made any change in this. It is quite clear that, speaking broadly, the Reformers were not more inclined to a policy of toleration than the Roman Church itself. It is quite clear that the liberty which they claimed for themselves they were not equally prepared to allow to others; or rather, as they no doubt would have put it, they claimed liberty only for what they conceived to be truth. They had no desire or intention to allow liberty to what they conceived to be falsehood.

How far it is to be maintained that all this impeded and hindered the free development of the human mind and the extension of human knowledge, is a question too large and too complicated to be discussed here. It is probably true to say, speaking quite generally, that in the Middle Ages proper the Church was rather in advance of the general body of men in learning and scientific knowledge, and that it may be

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very doubtful whether on the whole it can be said that its policy of persecution did retard the progress of human civilisation. There can be no doubt at all as to the great danger of its authority when in the course of the fourteenth, fifteenth, and sixteenth centuries the great system of mediæval civilisation broke down. It is indeed noticeable that it was just as mediæval civilisation drew towards its end that persecution became frequent, and there can be no doubt that the emancipation of the human mind from the dead hand of the Church had to be carried out in the teeth of the most violent opposition on the part of its representatives. But with this subject we must deal in another chapter.

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CHAPTER VI

THE REVIVAL OF THE PRINCIPLE OF INDIVIDUAL LIBERTY

It is with that great movement which we call the Renaissance that the recovery of the sense of the importance of the individual and of the individual personality and individual freedom begins. Whatever may be the cause, there can be little doubt that if we were to try and describe the characteristics of the civilisation of the Middle Ages in general terms, we should describe it as the revival of the older and more primitive group organisation of society. And there is nothing in this which need surprise us, because it is obvious that with the downfall of the Græco-Roman civilisation in the Western world from the fourth to the sixth centuries, Western Europe did in a certain sense return to barbarism. And one of the characteristics of

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the barbaric as distinguished from the civilised society is the over-predominance of the group instinct over the individual. It is probably true to say that the great representatives of individualism, whether men like the prophet Ezekiel among the Semitic peoples, or Seneca and other Stoic philosophers among the Western people, had gravely over-stated the individual idea. After all, when Ezekiel denounced the immorality of the punishment of the innocent for the faults of the guilty, he is no doubt right in his moral judgment, but he was contradicting the actual facts of the experience of life.¹ When Seneca maintained that a wise man was self-sufficient, that he could withdraw himself from the society of his fellow-men and yet remain a fully-developed human being, he was grossly over-stating a truth.² On the other hand, it must be admitted that the individualist movement, in asserting the equality and the necessary freedom of the individual personality, and in breaking

¹ Ezekiel xviii.

² Seneca, *Ad Serenum*, viii.

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down the rigid forms of the older group organisation, rendered immense service to humanity. There is perhaps no point in which we can see the effects of this more clearly than in the emancipation of the grown children, and even more, of the women of the family. It is not always sufficiently understood that the woman of the later Roman Empire was liberated from the control of the man to an extent which has only been equalled in recent years. It is perfectly true that it may be urged that the barbarian races brought with them conceptions of the position of women in some respects higher than those of the contemporary Roman civilisation, but as Europe relapsed into barbarism, so also women fell back into subjection.

The structure of mediæval society was indeed, with all its admirable qualities, a structure of coherent groups, in which the individual had his fixed place, but in which there was little room for, and there was little conception normally of, the possibility of movement. We

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are here dealing with the social and political structure of mediæval society, and if we were to try to describe in a phrase its most important characteristic, we should say that it was the sovereignty of law, and law was generally conceived of as unchanging and permanent.

It is true that until the end of the thirteenth century we may say that this system provided on the whole satisfactorily for the development of society and for the expression of the activities of human nature. But it is also clear that with the end of the thirteenth century this adjustment between the social order and the movement of the human mind and human life was no longer satisfactory, and the history of the fourteenth to the seventeenth centuries is the history of the development of a great revolt against the governing conceptions and forms of mediæval life.

It is very difficult indeed to describe in any terms which are adequate or accurate the great movement which we call the Renaissance, but it may be said about it that it represents a move-

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ment for the emancipation of the human mind and of human life both with regard to religious and intellectual opinions and possibly with regard to the social order. We may consider this in many different terms, but it will suffice to mention a few illustrations of this movement. The society of Western Europe in the Middle Ages had been on the whole homogeneous. It is a grave impropriety to speak of nationality as, properly speaking, existing in the Middle Ages. There were no doubt tribal and local distinctions, but there were not as yet national organisations in the proper sense of the word, and it was only slowly and gradually, especially in the course of the twelfth and thirteenth centuries, that these began to appear. But with the fourteenth century the disruptive tendencies of nationalism make themselves abundantly clear all over Western Europe. It was in the close of the Middle Ages that the great nationalities of modern Europe, of England, France, Spain, and Germany, became clear and developed.

If it is true, then, that the development of

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nationalism represents one side of the disintegrating movement of the period of the Renaissance, it is equally true that we can see the same process of disintegration at work in the intellectual sphere. No one who has any acquaintance with the intellectual movements of the Middle Ages, with the rise of the Universities and the development of the scholastic philosophy, can fail to have a profound respect for the immense intellectual energy which lay behind them. No one can fail to respect and admire the intellectual power and penetration which lay behind the great attempt at a synthesis of all human knowledge which was represented characteristically in the work of St Thomas Aquinas. And yet the synthesis was premature, as indeed perhaps all attempts at a complete synthesis of human knowledge have so far proved themselves to be premature. And the revolt against scholasticism is one of the first and most significant aspects of what we call the Renaissance. It is not that the philosophical thinkers of the Renaissance were necessarily

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greater men, or even the equals of the great scholastics, but they were, after all, feeling about for new aspects of truth, and they were growingly determined to accept no authority which would hinder them in their determined pursuit of truth. And yet it was just here that unhappily the Church, in a natural and intelligible timidity, allowed itself to drift into the attitude of a body which was suspicious of inquiry and contemptuous of human liberty. No doubt among the men who set forward the new science and the new learning there were many reverent and believing souls who had no desire to destroy the Christian faith or the authority of traditional morality, but unhappily also the scientific and theological inquirer found himself continually confronted by what was often a bitter, reckless, and violent opposition. It is this which explains, if it does not justify, the contemptuous attitude of the men of the new learning for the traditional intellectual systems of the Middle Ages, and it is this which explains how it was that the intellectual revolution had its

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martyrs and confessors as well as the religious movement.

We have to make the same observation about the beginning and progress of the religious revolt. It is not our part here to disentangle the immense complexities of the movement which we call the Reformation, but one thing is clear about it, and that is that men were beginning to question the assumptions of the older theological systems. And yet here, as in other matters, traditional Christianity assumed an attitude of relentless and almost indiscriminating hostility. The first movement of religious revolt, as represented by Wiclif and the Lollards in England, and by Huss and the Bohemians in Central Europe, was no doubt suppressed, but it was very different with the revolt of the sixteenth century. In face of the general rising of the religious temper of Northern Europe, the great Roman Church found itself helpless. Where it had the power, as for instance in Italy and Spain, no doubt revolt was suppressed. Where the forces were more

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equally balanced, as in France and Southern Germany, the conflict was carried out in a series of ferocious civil wars. But the final result was that a large part of Northern Europe finally broke away from the tradition of allegiance to the Mediæval Church. This is, however, not to say that these revolts in themselves produced a condition of spiritual freedom or of toleration of differences. The first result was only to substitute a nationalist authority for a universal one. The new national religious societies were not perhaps as violent in their intolerance as the Roman Church, but there was little difference between them on the principle of the enforcement of religious unity and of intellectual subordination. If the Reformers revolted against the authority of the Church, they set up in its place their own almost equally dogmatic assertion of the authority of their own interpretation of the Bible. Tolerance was in principle as little accepted by the Protestant nations as by those which remained Catholic.

The history of the development of toleration

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has perhaps not yet been completely written, and we must for our purpose be content to observe some aspects of the development in our own country of Great Britain. It was especially in England that it became apparent at the end of the sixteenth century that nationalist authority in religion was not going to be accepted as final any more than the universal authority of the Roman Church. We are not here concerned to set out the circumstances of the English Reformation settlement, but it became evident, during the reign of Elizabeth, that the settlement was not acceptable even to all Englishmen who were agreed upon the general principles of the Reformation. There were in England no doubt three parties—one which was on the whole content with what had been achieved, and generally satisfied with the forms and principles of the English Church. But besides this party there was one, small, no doubt, but loyal and devoted to its principles, which clung tenaciously to the older religion, and there was another, evidently growing con-

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tinually in strength in the seventeenth century, which was not satisfied that the changes of the Anglican reformers had been sufficient. The history of the Nonconformist societies, whether Congregational or Baptist, is the history of men who refused to accept the Reformation settlement. It is not necessary here to point out how this religious division, uniting itself with the constitutional or parliamentary revolt against the new monarchy of the Stuarts, brought about the great Civil War. It must not, however, be thought that at first the dissenting societies were themselves any more inclined to toleration than was the Established Church. They demanded not so much liberty as the substitution of one system of order for another. Some movement, however, towards the apprehension of the idea of toleration and of individual freedom in matters of religion may be traced in the early Congregational societies. But in England it seems true to say that it was with the Society of Friends and in the middle of the seventeenth century that we first see the true

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recognition by religious men of the propriety and possibility of religious freedom. It is curious to see in the contemporary literature how the arguments for toleration were received by men of almost all schools, not merely Anglican, but, as in Scotland, Presbyterian, as being little but a negation of religion. To many it seemed as though the demand for the toleration of varieties of religious faith in one community was little less than a declaration of atheism. How far we can attribute the ultimate victory of the principle of toleration to a conversion of men to a better mind, or how far it must be put down to other causes, we need not here consider. It is, however, probably true to say that in the main it was the obvious failure of the Anglican to suppress the Puritan, and of the Puritan to suppress the Anglican, which ultimately compelled people to acquiesce in the principle of toleration, and the victory of the principle of toleration is marked by the Toleration Act of 1689.

We have thus seen how the Church, whose

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true function it was to support and develop the principle of the individual freedom of the human soul, had unhappily been turned from its proper position, and had become for a time in Europe what one might almost call the chief enemy of freedom. We have seen in the last chapter how it was that the Christian Church in England gradually came back to its better mind. But when we say this, we cannot unfortunately say this means that the influence of the Church has always from that time to this been on the side of the liberty of the individual. The Church is still perplexed between its conviction that certain judgments and certain beliefs are not only true but are necessary for the highest well-being of human nature, and the conviction that this well-being can only be worked out under the terms of an unforced and uncompelled apprehension of these truths by the individual mind, conscience, and personality. It was only reluctantly, and compelled rather by external circumstances than by their own internal convictions, that the Christian

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people of England came to recognise the necessity of freedom. And if the recognition was somewhat forced, it remained for a long period somewhat grudging and incomplete. The Act of Toleration, as far as England was concerned, no doubt did generally and in principle, if not in all details, establish the right of the Protestant Churches to develop their own religious systems according to their own judgment. But this tolerance was not by any means as completely extended to the Roman Catholic Church, or in intention to those who were freethinkers and unbelievers. We need not here attempt to rewrite the melancholy history of the phases of the effort on the part of the English Government, supported, it must be acknowledged, by the English community, to discourage, if not to suppress, Roman Catholicism in Ireland. We need not deal with this in detail, but it must not be forgotten that the treatment of Roman Catholics in Ireland by the Protestant communities of England and Scotland has been

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among the most permanent and deplorable causes of national confusion and national disaster. And if the consequences were disastrous the memory is still lamentable. If all this is true of Great Britain, it is not less true of the Continent of Europe. Slowly and grudgingly, imperfectly and uncertainly, was toleration extended in the various European countries to the different religious communities. It is true, no doubt, that among the Protestant communities, speaking generally, this liberty was achieved earlier than in the Roman Catholic countries, for it was in the Roman Catholic countries that the principle of persecution and the desire to suppress or discourage, by legal means, the religious opinions and practices of those who did not agree with the dominant religious system, continued for the longest time. But in the end the victory has been achieved, and we venture to hope that as far as the Christian conscience is concerned it has been achieved permanently.

Unhappily this is not all that has to be said

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about the relation of religious conviction to freedom. There is always present in society the possibility of a tyranny which may be even greater than that of any government and of any legal system, and that is the tyranny of public opinion. Those of our readers who are familiar with the very famous little work by John Stuart Mill on *Liberty* will remember that Mill is perhaps more afraid of the power of public opinion in restraining or even destroying individual liberty and the individual personality, to which liberty is necessary, than he is of legally organised methods of suppression. It is here that unfortunately we must still recognise a very dangerous element in the attitude of the Christian Church, or Churches, to those who do not accept its faith. There still lingers on in Christian communities, or at least in numbers of individual members of Christian communities, a feeling of disapprobation, of moral censure, which easily translates itself into the terms of a public opinion which makes freedom of thought extraordinarily difficult. There are

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still, unhappily, many Christian people who do not understand that a forced or reluctant concealment of opinion is probably in the long run far more dangerous to the progress of truth than the frank expression of individual judgment. And as this book is addressed to English or possibly American readers, it is not perhaps irrelevant to point out that this danger is probably greatest just in those English and American societies which have achieved the largest measure of political freedom. We are proud, and rightly proud, of the fact that the political liberty of Englishmen and of Americans is greater than that of any other country, but we must not imagine that this necessarily means that intellectual and moral freedom is as highly developed in England and America as it is in European countries like Germany, France, or Italy. It is probably no exaggeration to say that in England and America during the nineteenth century it was far more difficult for an individual person to entertain or to express feelings and opinions, especially on religious and moral

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subjects, differing from those of the generality than in other countries. The Christian Churches have still to consider and understand their own principles more completely.

But when all allowance has been made for the slow and gradual process of the development of the freedom of thought, it is true that in the eighteenth and nineteenth centuries the world has recovered in a large measure the sense of individuality and of freedom. This process can indeed be observed in the terms of almost every aspect of human life. It is implied, if not directly asserted, in the immense political developments of the eighteenth and nineteenth centuries. It is an obvious characteristic of the great revolt, which we sometimes call the Romantic movement, against the absurdities of the conventional limitations imposed on the artistic and imaginative faculties by the traditions of the conventional classicism of the Augustan period. It was perhaps most clearly, we may perhaps say most blatantly, expressed in the terms of the development of

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what is called economic liberty—that great economic and social movement in the course of which, between 1750 and 1850, the whole traditional system of regulation and limitation of the industrial and commercial life of European societies was swept away. It is not too much to say that it was during this period that individualism arose to its highest point.

We might indeed be inclined to say that it was developed to a point of foolish exaggeration, and that the civilised community of Europe and America is now in the process of retracing its steps and considering over again the actual effects of unlimited economic liberty upon the actual or real liberty of the individual man or woman. There was during this period a tendency to restate the conception of liberty in terms somewhat analogous to those of the Stoic thinkers of the first century of the Christian era; to think of the individual human being as self-dependent, if not self-centred. There was a time, not so very long ago, when one might have said that the larger gospel of human life was

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about to be replaced by the gospel of self-help. But these are delusions from which it is evident that the civilised world is recovering. We are aware, and are growingly aware, that man does not live by self-help alone, but even more intimately, and certainly more completely, by mutual help. We are aware that the somewhat foolish exaggerations of Mr Herbert Spencer have as little scientific basis as the exaggerations of Seneca eighteen hundred years ago. We are aware that the liberty of men is not to be achieved by the isolation of the individual, but only by the discovery of some true and organic method of relation and of co-operation.

The Christian Church has during these last two centuries, perhaps reluctantly, accepted the principle of individual toleration, and in the great revival of religion of the later part of the eighteenth century this principle of the individual, and of the infinite significance of the individual, received a new impetus, we might almost say a new life, in the Methodist movement of Great Britain and the Pietist movement

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of Northern Europe. The movement was profound, far-reaching, and necessary, and it is from that movement that the Christian Churches of the North have derived the greater part of what may probably still be called their renewed vitality. We are not here concerned to say that every aspect of the great Methodist revival necessarily represented the whole truth of Christian faith or of human life, but it is obvious and clear that when John Wesley and his companions went out to preach the Gospel at the street corner and in every public place, they went out in the faith and in the conviction that every human soul has within itself some infinite quality, for it is capable of communion with the infinite Spirit of God. And it is not unimportant to observe that the Christian religion has thus had a not unimportant share in the development of what is sometimes called the democratic sense of the modern world. For this democratic sense is, after all, nothing more than the expression, in terms of organisation, of the conviction of the equality

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of the human soul. Not, of course, as some foolish people would sometimes seem to think, that it must mean an equality in powers, in intellectual force, in physical capacity, or even in moral character, but an equality in value. It is the principle that no individual can be sacrificed recklessly and involuntarily to other individuals, and that the culture of a great society cannot be built up on the sacrifice of the many to a few. It means that it is not possible to establish and maintain a system or organisation of society which is founded not upon the general will and consent, but upon the economic or political power of certain individuals. We do not here suggest that the Christian Church as a whole, or any one particular Christian society, has at all fully apprehended the relation of its own convictions to the development of the social and political ideas of the modern world. Indeed it is obvious that the attitude of the Christian Churches towards these movements has been uncertain and hesitating. Nor indeed should we think that the Christian Churches

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should have taken, or should take in the future, a definite corporate attitude towards particular political or social programmes. But it would have been well if the Christian Churches had been at greater pains to understand the relation of the political and social movements and ideas to their own religious and moral conceptions. It cannot, however, be said that the Christian Church has taken any very active or important part in the development either of social or of political liberty during the eighteenth or nineteenth centuries. It is not even true to say, as people sometimes do, that the emancipation of the slave was solely the effect of the energy of the Christian conscience. It is no doubt true that we have in the movement in England for the emancipation of the slave a singular and remarkable example of an occasion upon which the Christian Churches did finally succeed in persuading themselves that they had in the last resort the right to denounce not merely the consequences but the character of a particular social institution as contrary to Christian prin-

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ciples. But the abolition of slavery was not effected only under Christian influences ; it was carried out in all civilised countries whether they were specially affected by the Christian religion or not. And it is also obvious that it was the result of the development not only of moral ideas but of the operation of economic forces. But while the Christian Church has thus had little direct influence upon the political and social movements of recent times, it is true to say that these great movements did in a large measure correspond with its own fundamental principles, and it may well be hoped that the Christian societies may in the coming years understand and apprehend these things more clearly than they have done in the past.

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CHAPTER VII

THE CHURCH AND INDUSTRIAL LIBERTY

WE have in the last chapter considered the development of individual liberty in modern times, and have recognised that, in the development of toleration, of freedom of thought and speech, modern society has recovered in large measure the principle of the necessity of the freedom of the individual personality. We have seen that while it is unhappily true that in the course of its history the Christian Church had even sometimes presented itself as the enemy of freedom, yet in the long run it has been compelled not only to accept toleration, but to recognise that the principles of intellectual and moral freedom are a necessary expression of its own principles.

It may indeed be said that it was in the latter part of the eighteenth century and in the early

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years of the nineteenth century that the principle of individual freedom, at any rate in the region of thought and of feeling, reached for the time its highest expression. It must be observed that this coincided with the expression of freedom in aspects of life with which it had not hitherto been related. For if the history of the latter part of the eighteenth century is the history of the development of freedom of thought and of political freedom, it must also be observed that it was the period in which perhaps almost for the first time in history men came to think of the necessity of freedom in the industrial and commercial world, or in what we might call in a general term the economic circumstances of life. The old economic order of Europe had been one of regulation and of restraint. It was thought to be necessary, both in the economic interests and in the social interests of human life, that industrial and commercial affairs should be regulated or determined either by the State or by such societies as those of the mediæval Guilds. It

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is probably also true to say that in the earlier stages of modern civilisation this system of regulation had worked satisfactorily. Sometimes indeed this older system has been presented to the world in terms which are rather rose-coloured, and which do not altogether correspond with the facts. But when all allowance has been made, the Guild system of the Middle Ages and the State regulation of later centuries had on the whole been probably well-adapted to the conditions and circumstances of civilisation. It is, on the other hand, also true to say that, at any rate from the sixteenth century onwards, this system was breaking down, and by the latter part of the eighteenth century it was quite clear that it had become unworkable. It is this which explains the attitude taken up by a great economic writer—the founder indeed in large measure of modern economic science, Adam Smith—to the industrial and commercial systems. He demanded complete freedom in economic relations and in economic conditions. And while no

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doubt his contentions are founded in large measure upon abstract and general principles, yet it is also obviously true that they reflected the actual need of the time, which was for freedom. It cannot be seriously disputed that the surviving remains of the regulation of labour in terms analogous to that of the Guild system had become impossible. And it is also obvious that the immense complex of the State regulations, especially of commerce, was proving itself merely obstructive. At any rate, whatever may have been the wisdom or unwisdom of the course of affairs, the demand for freedom which came to a head in the period which we call the Industrial Revolution was successful, and in the course of a hundred years the old order disappeared and was replaced by a system of freedom of contract, freedom from almost all the restraints of the economic law of the community. It is to misunderstand this process if it is not recognised that this was one aspect of the development of the general principle of the necessity for individual liberty.

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It is not our part here to consider all the questions which may arise on this. It is not, for instance, our part here to determine how far it was just this emancipation of the economic forces which contributed to the enormous developments of material wealth which are characteristic of the last century and a half. It is at any rate arguable, that without this freedom of contract and freedom of competition, this development of wealth might have been greatly retarded. We are, however, here concerned, not with such questions, but with the profoundly important question of the reaction of this freedom in the economic world upon the actual individual liberty of the ordinary man. And we are here concerned with the question how far the Christian Church had, or ought to have had, something to say upon these matters.

When we try to consider the actual results of the liberation of industrial life from the control of society and of the State, we may naturally think first of the new opportunities

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which it gave to human capacity, to individual initiative and individual sagacity. It was not unnaturally the case that at one time it was this aspect of the matter which in the main occupied men's attention. A book which was justly famous in its own time—Samuel Smiles's *Self-Help*—may be taken as a significant example of this temper. The insistence upon the importance of self-reliance, of self-restraint, of self-development—the development of the sense of independence, the value of the sense that a man's position depends, and must depend, in large measure upon his own individual character and energy—all this was, as one might say, the text of the gospel of self-help. And it would be merely foolish to deny the importance and the relative truth of this gospel. But it is unhappily also true that if we consider the actual circumstances and conditions of the industrial and commercial history of the nineteenth century, this is only one part of the picture. No doubt the industrial revolution, the destruction of the old regulation of industry and

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commerce, set the strong man at liberty. But its effect upon the ordinary man, upon the average man and woman, is another question. For if the principle of self-help has its merits, it must also be recognised that if it is pushed to extremes, if the world were organised (if indeed that were possible, which it never has been) upon the basis merely of individual independence, the results would be disastrous, and more than that, they have proved themselves in our experience to have been appallingly disastrous. For if the whole consequence of the emancipation of the economic forces is to be seriously considered, we must think not merely of the enormous strides in wealth which have been achieved in the modern world, but also of the conditions under which this success has been achieved. There are people who are sometimes inclined to complain of the continual reappearance among us of what has been called "the condition of the people" question, but the question will recur, and will always recur, until the conditions and circumstances which

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are characteristic of our time have happily been removed or at least greatly amended.

It is not necessary, in order to understand this, to agree with or even to sympathise with, the views of those who are sometimes called revolutionaries. We have only to take account of the long series of the Factory Acts and try to understand the conditions or circumstances which produced these Acts. Again, it is not necessary to think that the great development of the societies which we call trade unions presents no difficulties to modern society, or that the action of the trade unions has always been wise and well-considered. But it is necessary that we should ask ourselves what are the circumstances and conditions which have produced these great organisations. When we set about considering those conditions, we find the answer without any difficulty. The great system of the Factory Acts represents the attempt, however impartial and incomplete, on the part of the conscience of the English people to undo and prevent some of the results of the

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unlimited economic freedom of the first part of the nineteenth century. The organisation of the trade unions represents the necessary and inevitable attempt of the wage-earning classes to protect themselves, their lives, and what they consider to be their interests, against the overwhelming power of capital in the hands of a smaller number of men. It is not necessary here to recapitulate the dreadful story of the factory system of the later eighteenth century or the earlier nineteenth century. It is only necessary to realise that the unlimited and uncontrolled exploitation of the labour of young children and of women finally aroused the conscience of the country. The picture presented of these conditions in the successive reports, first of Parliamentary or Royal Commissions, and then by that admirable body of men, the first factory inspectors, stands as a permanent and on the whole unquestionable record of the monstrous and intolerable circumstances of uncontrolled economic freedom.

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How far, then, it must be asked, did the Christian Church play an important part in dealing with these matters? It is, happily, true to say that at perhaps the most critical moment of the new movement it was a man of profound religious temper, indeed of a profoundly passionate moral and religious temper—Lord Shaftesbury—who rendered unforgettable service to a cause which was not merely that of humanity, but, in the profounder sense of the word, of human liberty. And there were not wanting many men in the Christian Church who gave their support to the work of the reformers of our factory system. It must not however be claimed that the demand for reform came from the Churches. It was indeed to a man who, in his own judgment, stood outside the religious systems and beliefs of the country—to Robert Owen—that the first great impulse of reform can be traced, and many of the leaders of the reforming movement had no special relation to Christian societies. But yet it is happily true that at any rate in many cases

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Christian men and the ministers of Christian Churches added such weight as they had to the work of the reformers. It can hardly be said, however, that the Christian Churches in Great Britain played a worthy or adequate part. And yet they ought to have understood that the matter in conflict was really a matter of human freedom. They ought to have understood that every restriction imposed by the Factory Acts upon the industrial process meant the emancipation of innumerable human beings from an industrial constraint which amounted in many cases to something which could hardly be distinguished from slavery.

If, however, it is happily true that the Christian Churches were not wholly insensible of the movement for the restoration of individual freedom to the masses of the labouring classes by means of the Factory Acts, it is unfortunately also true that they showed little sense and little comprehension of the parallel movement for the emancipation of the wage-earners by means of the great organisations which we call the

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trade unions. It is indeed almost pitiful to read in the literature of the nineteenth century how little even the most kindly and most enlightened and sometimes most religious members of the community understood, or seemed to be at pains to understand, that it was through the trade union movement that the wage-earning classes were endeavouring to work out their own liberty. How often has one heard, even in our own day, in ecclesiastical meetings and congresses, denunciations by well-meaning but obviously grossly ignorant men, of the tyranny which, as they thought, had been, or is, exercised by the trade unions in the labour world. And how often has one failed to hear any voice raised to explain that the trade unions, with all their limitations and all their faults, possibly incidental to such organisations, have yet been the principal means by which the great masses of the wage-earning classes in this country have achieved some measure of freedom. If we want to find a peculiarly obvious example of this, it is most easy to find one in the deplor-

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able attitude, especially of many of the ministers of the Church of England, to the not unheroic attempt of the agricultural labourers to achieve some measure of freedom, and some improvement of their conditions by means of the Agricultural Labourers' Union under the leadership of Joseph Arch in the seventies of the last century.

But we may turn to a happier aspect of the subject if we consider for a moment what was done by some great Christians in the nineteenth century. For happily there have never been wanting in the Christian Churches some men at least who understood life more profoundly and saw its nature more clearly. In such a work as this it is impossible to describe, except in passing, the character of the work achieved by men like Frederick Maurice and Thomas Hughes, J. M. Ludlow, and Charles Kingsley. And yet it would be impossible to pass over in silence the immense services these men rendered to the community, and even more to the Christian Churches, in

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recalling them to some sense of their own principles. For the great crusade of Frederick Maurice and his friends for the reconstruction of the social order was in effect nothing else but a vindication of the principle that human liberty means the predominance of moral ideas and of the human conscience over the merely material or economic forces. When Maurice and his friends proclaimed that the ultimate reform of society could only be achieved by the substitution of the principle of mutual help, or what is sometimes called co-operation, for the principle of mere competition, they were asserting the principle that freedom cannot be achieved in a society which is controlled by forces—even economic forces—but only in one which is controlled by moral principles and guided by moral ideas. And it is worth observing that these illustrious men were more revolutionary in their great insight than is sometimes understood, for they demanded not merely a fragmentary patching of the social order but a complete reconstruction of it.

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We have spoken so far of merely English conditions and circumstances, and it is not possible in the space at our disposal to discuss the movements on the Continent, which would indeed be probably less familiar to our readers. But it is happily true that something of the same kind as that we have just described can be found in continental Europe, both in Protestant and in Catholic countries. The phrase "Christian Socialism" has indeed sometimes in these later years assumed a somewhat unhappy complexion. Its entanglement in some countries with the preposterous absurdities of the anti-Semitic movement has, not quite unjustly, often disgraced it. But in its essence it represents the same revolt against the tyranny of uncontrolled economic forces as those which we have described in Great Britain. And the movement has gradually extended its power over the religious community, so that not only in such continental documents as the famous Encyclical of Pope Leo XIII, but in the frequent reports and recommendations of

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religious congresses of the Anglican and other Churches, we find gradually emerging, and more and more clearly asserted, at least some of the principles of which Maurice and his friends were the earliest representatives. And it may therefore at any rate be hoped that whatever its failures may have been in the past, the Christian Church is setting its face in the right direction, and is tending to become an effective ally of those who see that the liberty of men cannot be worked out by the mere negative action of the removal of restraints, but must rather be founded upon the conscious and deliberate attempt to establish the control of the moral conscience over various aspects of social life.

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CHAPTER VIII

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WE have so far endeavoured to consider something of the history of the development, both of the conception and of the recognition of individual liberty, and we have seen that, in however imperfect a fashion, it is true to say, that in the course of the eighteenth and nineteenth centuries we have recovered in large measure the sense of the imperious necessity of the liberation of the individual temperament and character, and that we are, or at least we may hope we are, recovering the sense that the development of liberty is only possible in and through the co-operative and protective action of society. We hope that we are turning to a more living conception of the function of society in developing not merely the wealth of the individual, but his liberty of action.

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We must conclude this little work by drawing attention to a dangerous misapprehension of the nature of social authority. For it is true that there are conceptions of our social life which still, and perhaps in somewhat dangerous fashion, menace the liberty of the individual. What we have to deal with here is the development of the theory of what is called "sovereignty" in the State. There has been current among ourselves a notion that in some ways at least the State is absolute, and that there is no authority behind it which can limit or restrain its authority. We are in the habit, for instance, of thinking of the nature of law as simply representing the command of a superior enforced by a sanction or punishment. And there is sometimes a tendency to imagine that anything which can claim to be of the nature of a law possesses an authority to which everyone must yield. Not only is this doctrine false, but it is in the highest degree dangerous and mischievous, and we may begin by laying down dogmatically the principle which we shall endeavour to explain,

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that there never is, nor can be, in any society an absolute sovereign power. There may well be a power which has what we may call a legal sovereignty, as, for instance, under the terms of the authority of Parliament, in the British Constitution, though it must be observed that this is a very unusual thing in the Constitutions of the world. But this legal sovereignty does not mean an absolute sovereignty. It does not mean that Parliament has an authority which is arbitrary or capricious or really unlimited.

In order, however, to understand this question it is almost necessary to say a few words about the origin of this conception. For in mediæval and modern civilisation it is a new thing. A conception analogous to it, though not the same, no doubt existed in the later centuries of the civilisation of the ancient world, but our own conception is of recent development. The characteristic of mediæval society was that there was no absolute sovereign ; at least there was no sovereign in the modern sense of the

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word. There was no sovereign person who dictated or abrogated laws, or who acted outside of the law. The supreme authority in the mediæval society was not a person or persons, but the law itself, and the law in the older conception of the mediæval world was a thing which had not been made by anyone, but which represented the immemorial customs of a particular tribe or nation. There was no sovereign person behind the law. It was only in the later centuries of the Middle Ages that men began gradually and somewhat reluctantly to feel that there must be an authority which could abrogate and change law. And it is with the appearance of this feeling or conception that the modern doctrine of sovereignty began to arise. But the law of the Middle Ages, which was supreme, was not uncontrolled or unchecked by other powers. It is one of the most notable features of mediæval society that writers, whether secular or ecclesiastical, constantly reiterate the fundamental principle that all law, all positive law, whether secular or

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ecclesiastical, which was contrary to what they called the law of nature was *ipso facto* null and void. It would be out of place to attempt to discuss the meaning which the Middle Ages attached to the phrase, the law of nature. It is enough for our purpose to recognise that they thought of it as something which man had not made, but which they recognised as necessarily true. They identified it frequently with the law of God, but perhaps the best way to describe it is that it was that part of the law of God which men knew, and knew as binding upon them through the exercise of their own reason and their own conscience. If we were to call this the recognition of certain implicit conceptions of morality, we should not be very far from the truth. To the mediæval people, therefore, while there was no sovereign behind the law, the law itself, supreme though it was, was always liable to be corrected, and was always controlled, by the appeal to a principle greater than itself, and to a principle which, as we have said, was not created by man, which

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was not under his authority, but which his reason recognised and his conscience compelled him to obey.

It will be easily understood, then, that even when in the later Middle Ages the conception of a sovereign person or persons from whom the law proceeded, and who gave to the law their authority, appeared, it never entered into men's heads to think that this sovereign person or persons was or could be in the proper sense of the term absolute. No doubt it is true that that notion, as foolish as it was mischievous, of the divine right of kings, which we have before described, led men sometimes to think, not that the king was irresponsible, but that he was responsible only to God, and not to the members of the society of which he was king. But that was a delusion which, as we have before said, while common at one time, soon disappeared from the civilised world. It was only in the course of the seventeenth and eighteenth centuries, when the philosophical conception of the natural law

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was, at any rate in its old terms, undermined, that men came gradually to think of the sovereign power, whether one person or many, as really absolute. This is the doctrine which first found a complete and dogmatic expression in the works of Thomas Hobbes. It was repudiated at the time by almost all right-thinking people, but there is no doubt that in spite of the repudiation of Locke, and later of Rousseau, the idea somehow came into people's minds, and we find developed a conception of the State as possessing a properly absolute power over men. It is to this that the conception of the law as simply being the command of a superior enforced by a sanction is related.

It may be thought that with the disappearance of the absolute monarchies this conception ceased to be anything more than academic, but this is probably exactly the opposite of the truth. The real danger of the theory is much greater in democratic societies than in monarchical. For, after all, though an absolute monarch, king, or emperor may think himself absolute,

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in fact it is very rarely that he can be anything of the kind. The risk of revolution, the possibility of armed revolt, is always present, and it may be doubted whether in the larger sense of the word a really absolute monarchy ever existed or ever could exist. But it is very different with the modern democratic system of society. Here, just because authority is placed in the hands, not of one man, or of a few, but of the great multitude, there is a peculiar danger that that multitude should think itself to be absolute and entitled to override even the conscience and reason of its subjects. And this danger is probably heightened by the common, if somewhat unreflecting, habit of talking of government by the majority when we mean government by the community.

It is here that the Christian Church may still have an important part to play in the vindication of liberty. For it is the first function of the Christian Church to make plain to its members that there are whole aspects of human life in which it neither will nor can recognise the

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authority of any sovereign. We have dealt with some aspects of this matter in an earlier chapter, but we must repeat that whatever may be the relation of establishment or disestablishment to any Christian Church, it cannot tolerate the assumption of authority by the State in what we may perhaps call the strictly spiritual sphere. The boundaries, indeed, between the spiritual sphere and the secular sphere are difficult, if not impossible, to draw precisely, but the general justice of the position is not, we think, capable of being disputed. There have been two movements in the last twenty years or so which are highly significant of the importance of this principle. The one was the movement of the conscientious objectors to pay rates under the Education Act of 1902. A great number of the most religious and most respectable members of the Christian communities in England looked, rightly or wrongly—we are not concerned to discuss that question here—upon the provisions of that Act as violating their conscientious convictions, and refused, and

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to this day refuse, to pay rates, while they do not deny the right of the State to secure these payments by the use of force. They do not deny the legal right, even though they dispute the propriety. Here was indeed a very remarkable spectacle—a large body of men, among the most religious minded, the most sober, the most temperate, the least extreme or extravagant of the members of our community, deliberately refusing to obey the law. The second example of what has been happening is to be found in the case of those who felt conscientious objections to military service during the war. No doubt at the time many people, generally just-minded and fair people, were irritated by their action, as they were wholly unsympathetic to its motives. But the common sense of the community compelled it, in England at least, to recognise that if such conscientious objection was clearly genuine, allowance had to be made for it, and we can now see clearly that while we may not agree in the very least with the judgments upon which the conscientious objector

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founded his action, no State can claim to have a moral as well as a political civilisation which does not acknowledge their force and does not make provision for their recognition.

It is very noticeable that in both these cases we are dealing with the scruples and difficulties of religious minded and in large part, at least, of Christian men and women, and it is to be hoped that the Christian Church or Churches will not fail to recognise that apart from any judgment as to the propriety of these particular appeals to conscience, the appeal to conscience must be frankly recognised as an appeal to something which transcends the authority of the law, which goes far behind the authority of the State. The Christian Church has still a part to play, and not an unimportant part, in the vindication and defence of human liberty, and it is earnestly to be hoped that it will not fail to understand its duty.

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1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 UV-Visible Spectrophotometer. The concentration of chlorophyll was expressed in $\mu\text{g mL}^{-1}$.

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